

**REMARKS**

Applicants respectfully request further examination and reconsideration in view of the above amendments and the arguments set forth fully below. In the final Office Action mailed October 6, 2008, claims 1-42 have been rejected. In response, the Applicants have submitted the following remarks, and amended claims 1, 11, 25 and 40. Accordingly, claims 1-42 are still pending. Favorable reconsideration is respectfully requested in view of the amended claims and the remarks below.

**Rejections Under 35 U.S.C. §103**

Claims 1-42 have been rejected under 35 U.S.C. §103(a) as being unpatentable over StatView RespondNow, 2002, GE, USA. (hereinafter StatView), in view of U.S. Patent No. 5,997,476 to Brown (hereinafter Brown).

The StatView reference teaches a closed loop, wireless alarm notification system that captures alarm notifications from a monitoring network and delivers it to a caregiver. The functionality that is given to the caregiver is that of a central station on the caregiver's hip, including management functionality of a number of alarm notifications. The system described in StatView also is accessible through a web browser.

Within the Office Action, it is stated that the StatView reference teaches "the medical monitoring system includes a notification server that converts the alert to an appropriate format and a notification transmitter that receives the alert and wirelessly transfers the notification message to a portable electronic device". However, there is no indication in the StatView reference that this is indeed taught. First, no notification server is listed in the StatView reference, and it is clear from the StatView reference that the device captures notification alarms from an existing system, or a compatible system as listed on page 2. There is no indication from the StatView reference that the StatView device is configurable to work with a system having multiple monitoring units having multiple parameters, nor is even the system architecture being taught or discussed, thereby making it impossible for the StatView reference to teach a notification server

configured to convert the alert to an appropriate format. Lastly, the StatView reference does not teach a notification transmitter, a WLAN transceiver, and a cellular network transceiver, all configured to receive a converted alert from the notification server and wirelessly transfer the notification message to a portable electronic device of a pre-selected caregiver. The system and method of the present application includes the structure and functionality to transfer these alerts over each of these networks to the pre-selected caregiver.

The Brown reference teaches a network system for interactive communication and remote monitoring of individuals, wherein a script program is received and executed by the apparatus to communicate queries to an individual to receive responses to the queries, and to transmit the responses from the apparatus to the server. While the Brown reference does indeed teach voice data transmission, the Brown reference does not teach the functionality of the notification server, nor of the transmission of the alarm notification through a notification transmitter, a WLAN transceiver and a cellular network transceiver as described and claimed in the present invention.

As discussed above, in contrast to the teachings of StatView Brown and their combination, the system and method of the present application include a medical monitoring system receiving alerts through a hospital network when any of a plurality of patients being monitored may have a condition that requires attention, wherein the medical monitoring system is configured to generate a notification message when any of the plurality of patient monitoring devices sends the alert. Specifically, none of these references teach the medical monitoring system including a notification server that converts the alert to an appropriate format, and a notification transmitter, WLAN transceiver and cellular network transceiver that receive the alert and wirelessly transfer the notification message to a portable electronic device of a pre-selected caregiver.

The independent claim 1 is directed to a medical monitoring system of a health care facility, the system comprising: a plurality of patient monitoring devices, each of the plurality of patient monitoring devices configured to send an alert to the medical

monitoring system through a hospital network when any of a plurality of patients being monitored may have a condition that requires attention, the medical monitoring system configured to generate a notification message when any one of the plurality of patient monitoring devices sends the alert, the medical monitoring system further includes a notification server that converts the alert to an appropriate format, and a notification transmitter, WLAN transceiver, and a cellular network transceiver, all configured to receive the alert from the notification server and wirelessly transfer the notification message to a portable electronic device of a pre-selected caregiver, wherein the portable electronic device includes: an audio signal input device; an audio signal output device; a wireless transceiver; and a processing circuit configured to receive the notification messages indicating that the patient being monitored may have a condition that requires attention and to facilitate transfer of voice data to the audio signal output and from the audio signal input by way of the wireless transceiver, wherein the portable electronic device is adapted to communicate via a plurality of wireless protocols, corresponding to the plurality of patient monitoring devices. As discussed above, neither StatView, Brown, nor their combination teach the functionality of the notification server, nor the ability to transmit the notification through there. For at least these reasons, the independent claim 1 is allowable over the teachings of Albert, ABI, Brown and their combination.

The Applicants respectfully submit that the independent claims 11, 25 and 40 are also allowable over the teachings of StatView and Brown for the same reasons as discussed above with respect to the independent claim 1.


Claims 2-10, 12-24, 26-29 and 41-42 are dependent upon the independent claims 1, 11, 25 and 40. As discussed above, the independent claims 1, 11, 25 and 40 are allowable over the teachings of StatView, Brown and their combination. Accordingly, claims 2-10, 12-24, 26-39, and 41-42 are also allowable as being dependant upon an allowable base claim.

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For these reasons, Applicants respectfully submit that all of the claims are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at 414-271-7590 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

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